

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

(01) BRYAN C. PERRY

[DOB: 09/24/1985] and

(02) JONATHAN S. O'DELL

[DOB: 04/23/1990],

Defendants.

Defendants/Counts:

(01) Perry: Counts 1-3, 5

(02) O'Dell: Counts 4 & 6

No. 22-4065-CR-C-SRB

COUNT 1:

18 U.S.C. § 111(a)(1) & (b)

NMT 20 Years Imprisonment

NMT \$250,000 Fine

NMT 3 Years Supervised Release

Class C Felony

COUNT 2:

18 U.S.C. § 922(g)(1) & 924(a)(8)

NMT 15 Years Imprisonment

NMT \$250,000 Fine

NMT 3 Years Supervised Release

Class C Felony

COUNT 3:

18 U.S.C. § 924(c)(1)(A)(iii)

NLT 10 Years Imprisonment

NMT Life Imprisonment

Consecutive Sentence

NMT \$250,000 Fine

NMT 5 Years Supervised Release

Class A Felony

COUNT 4:

18 U.S.C. § 922(g)(8) & 924(a)(8)

NMT 15 Years Imprisonment

NMT \$250,000 Fine

NMT 3 Years Supervised Release

Class C Felony

COUNTS 5 & 6:

18 U.S.C. § 875(c)

NMT 5 Years Imprisonment

NMT \$250,000 Fine

NMT 3 Years Supervised Release

Class D Felony

\$100 Special Assessment (Each Count)

FORFEITURE ALLEGATION:

18 U.S.C. § 924(d); 28 U.S.C. § 2461(c)

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT 1

(Assault of a Federal Law Enforcement Officer)

18 U.S.C. § 111(a)(1) & (b)

On or about October 7, 2022, in Benton County, in the Western District of Missouri, the defendant, **(01) BRYAN C. PERRY**, forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with a special agent of the Federal Bureau of Investigation, with a deadly or dangerous weapon, while such agent was engaged in the performance of their official duties, in violation of Title 18, United States Code, Section 111(a)(1) and (b).

COUNT 2

(Felon in Possession of a Firearm)

18 U.S.C. §§ 922(g)(1) & 924(a)(8)

On or about October 7, 2022, in Benton County, in the Western District of Missouri, the defendant, **(01) BRYAN C. PERRY**, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting commerce, a firearm, a Ruger, model Security-9, 9 mm caliber pistol, bearing an obliterated serial number, which had been transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

COUNT 3

(Use of Firearm in Furtherance of Crime of Violence)

18 U.S.C. § 924(c)(1)(A)(iii)

On or about October 7, 2022, in Benton County, in the Western District of Missouri, the defendant, **(01) BRYAN C. PERRY**, did knowingly brandish, discharge, carry, and use a firearm, that is, an Anderson, model AM-15, multi-caliber rifle, bearing serial number 21221464, during

and in relation to a crime of violence, and did knowingly possess a firearm in furtherance of a crime of violence, for which he may be prosecuted in a court of the United States, that is, assault of a federal law enforcement officer, as alleged in Count 1, in violation of Title 18, United States Code, Section 924(c)(1)(A)(iii).

COUNT 4

(Possession of a Firearm While Subject to Court Order of Protection)

18 U.S.C. §§ 922(g)(8) & 924(a)(8)

On or about October 7, 2022, in Benton County, in the Western District of Missouri, the defendant, **(02) JONATHAN S. O'DELL**, knowing he was subject to a court order issued by the 8th Judicial Circuit, Ray County, Missouri, on March 18, 2022, in case number 22RY-CV00106, that was issued after a hearing of which he received actual notice, and at which he had an opportunity to participate, restraining him from harassing, stalking, or threatening an intimate partner, that by its terms explicitly prohibited the use, attempted use, or threatened use of physical force against such intimate partner that would reasonably cause bodily injury and included a finding that the defendant represented a credible threat to the safety of such intimate partner, did knowingly possess in and affecting interstate commerce, a firearm, to wit: a Stevens, model 320, 12-gauge firearm, bearing serial number 142729C, said firearm having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(8) and 924(a)(8).

COUNT 5

(Communicating a Threat to Injure)

18 U.S.C. § 875(c)

On or about October 3, 2022, in Benton County, and elsewhere, in the Western District of Missouri, the defendant, **(01) BRYAN C. PERRY**, transmitted in interstate and foreign commerce

a communication, through the use of a telephone, and the communication contained a threat to injure a person, knowing that the communication would be understood as a true threat, in violation of Title 18, United States Code, Section 875(c).

COUNT 6
(Communicating a Threat to Injure)
18 U.S.C. § 875(c)

On or about October 2, 2022, in Benton County, and elsewhere, in the Western District of Missouri, the defendant, **(02) JONATHAN S. O'DELL**, transmitted in interstate and foreign commerce a communication, through the use of a telephone, and the communication contained a threat to injure a person, knowing that the communication would be understood as a true threat, in violation of Title 18, United States Code, Section 875(c).

FORFEITURE ALLEGATION

The allegations contained in Counts 2, 3, and 4 of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

Upon conviction of the offenses set forth in Counts 2, 3, and 4 of this Superseding Indictment, the defendants shall forfeit to the United States any firearms involved or used in the commission of the offenses, including, but not limited to:

- a) a Ruger, model Security-9, 9 mm caliber pistol, bearing an obliterated serial number;
- b) an Anderson, model AM-15, multi-caliber rifle, bearing serial number 21221464, with attached metal cylinder; and

c) a Stevens, model 320, 12-gauge firearm, bearing serial number 142729C.

All pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

A TRUE BILL,

/s/Casey Castrop
FOREPERSON OF THE GRAND JURY

/s/Ashley S. Turner
Ashley S. Turner
Assistant United States Attorney

DATED: _____